

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NORMA KNOFF and MICHAEL KNOFF,	:	17cv5833 (DLC)
	:	
Plaintiffs,	:	<u>ORDER</u>
-v-	:	
	:	
FRANK M. ESPOSITO, DORSEY & WHITNEY,	:	
LLP, NATHANIEL H. AKERMAN, EDWARD S.	:	
FELDMAN, and MICHAEL HAYDEN SANFORD,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:


In a letter of February 12, 2021, the plaintiffs moved to compel non-party witness Michael Sanford to produce his communications with Edward Feldman from October 22, 2015 to July 11, 2017. An Order of February 16 directed Sanford to respond to the plaintiffs' letter by February 18, 2021 at noon and to address in his response whether Feldman ever represented him personally and, if so, the dates of the alleged representation. Sanford has not responded to the plaintiffs' letter of February 12.

In a letter of January 21, Feldman stated that he only represented Sanford's company, Pursuit Holdings, LLP, and at no point represented Sanford personally. Pursuit has filed for bankruptcy, and its Trustee has waived "any attorney-client privilege on behalf of [Pursuit] and will not object to the

Knopfs obtaining any documents or testimony in discovery which may otherwise be subject to an attorney-client privilege held by [Pursuit]." To the extent that Sanford communicated to Feldman on behalf of Pursuit, those communications are not privileged. Sanford has made no showing that Feldman represented him personally at the time of the communications sought by the plaintiffs. Accordingly, it is hereby

ORDERED that Sanford shall produce to the plaintiffs by **Tuesday, February 23, 2021** his communications with Feldman from October 22, 2015 to July 11, 2017.

Dated: New York, New York  
February 19, 2021

  
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DENISE COTE  
United States District Judge